

REMARKS

Status of the Claims

Claims 1-3 and 58-61 are pending, with claim 1 being independent. In order to expedite prosecution, claims 4-57 and 62-70 have been canceled without prejudice to or disclaimer of the subject matter contained therein, as these claims are directed to non-elected subject matter pursuant to the restriction requirement. Applicants have no intention of abandoning any non-elected subject matter and expressly reserve the right to file one or more continuation and/or divisional applications directed to the non-elected subject matter.

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejections in view of the foregoing amendments and the following remarks.

Claim Rejections under 35 U.S.C. § 102

Claims 1-3 and 58-61 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,082,359 ("Kirkpatrick"). Applicants respectfully disagree with this rejection; therefore, this rejection is traversed.

The Office Action asserts that "Kirkpatrick discloses (refer to figure 4) an optical comprising a diamondoid-containing material (28) (column 8, clines 27 – 21)." (Office Action, Page 3). Applicants point out that Kirkpatrick relates to growing *diamond* films, rather than a *diamondoid*-containing material, as recited in independent claim 1. (See Column 1, Lines 15-18).

As defined in the present specification, the term "diamondoids" refers to substituted and unsubstituted caged compounds of the adamantane series including adamantane, diamantane, triamantane, tetramantane, pentamantane, hexamantane, heptamantane, octamantane, nonamantane, decamantane, undecamantane, and the like, including all isomers and stereoisomers thereof. (Page 7, Lines 17-20). As disclosed in the present specification, feedstocks that contain large proportions of lower diamondoids and lower but significant amounts of higher diamondoids, include, for example, natural gas condensates and refinery streams resulting from cracking, distillation, coking processes, and the like ("Isolation of diamondoids from petroleum feedstocks"). (Page 13, Lines 4-11).

To anticipate a claimed invention under §102, a reference must teach each and every element of the claimed invention. *See Lindeman Maschinenfabrik GmbH v. American Hoist and Derrick Company*, 221 USPQ 481, 485 (Fed. Cir. 1984). MPEP § 2131.

As noted above, Kirkpatrick relates to growing *diamond* films. It is respectfully submitted that in no way does Kirkpatrick disclose or suggest a *diamondoid*-containing material, as recited in independent claim 1. As defined in the present specification and provided above, diamondoids are materials distinct from diamonds. As Kirkpatrick does not disclose each and every element of claims 1-3 and 58-61, it cannot anticipate these claims.

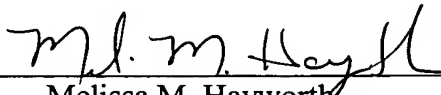
For at least the above-noted reasons, withdrawal of this rejection under 35 U.S.C. § 102(b) is respectfully requested.

Conclusion

For the reasons noted above, the art of record does not disclose or suggest the inventive concept of the present invention as defined by the claims.

In view of the foregoing remarks, reconsideration of the claims and allowance of the subject application is earnestly solicited. In the event that there are any questions relating to this application, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that prosecution of this application may be expedited.

Respectfully submitted,
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